

aiy
Luis Ancho
PO Box 411
Honolulu, HI 96728
808-964-5535
pro se

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

3 MAR 21 2008
at 3 o'clock and 30 min
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

--oo0oo--

LUIS ANCHO, et al.,

Plaintiffs

vs.

US DEPARTMENT OF ENERGY, et al.,

Defendants

Civil No.

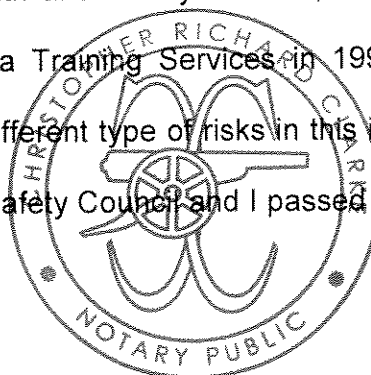
C V 08 00136 HG KSC

**AFFIDAVIT OF RODNEY J. SKINNER
IN SUPPORT OF TRO AND
PRELIMINARY INJUNCTION**

AFFIDAVIT OF RODNEY J. SKINNER IN SUPPORT OF
TRO AND PRELIMINARY INJUNCTION

I, Rodney J. Skinner, affirm state and declare, under penalty of perjury of the laws of the United Kingdom, as follows:

1. I obtained by examinations an Associateship of the Institute of Brewing in 1969 and the Diploma membership of the Institute of Brewing in 1978. During my time in the Brewing industry I attended many Health and Safety courses, the most recent being Health & Safety for Managers by Astra Training Services in 1990. In 2000 I moved to the Concrete Industry. Due to the different type of risks in this industry I was immediately sent on a course with the British Safety Council and I passed 'Basic Safety'



R. Skinner

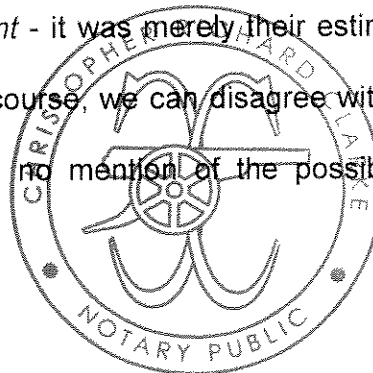
in 2000. In September 2007 I passed a course with the Institute of Occupational Safety and Health (IOSH) called 'Managing Safely'. All the courses I passed contained modules and projects in Risk Assessments. I have always been to the fore in Health and Safety wherever I have worked, being an active member of Safety Committees and also a First Aider. I have seen many accidents, so I know what a tragedy even an accident to one person is to that person and their family and the effect on their colleagues and the business. I am currently training the entire workforce of the factory in the Risk Assessments in each of their areas, getting their feedback and making improvements so we can reduce risks further.

2. I currently work in Quality Assurance in industry, and have so worked since 1968, and I also have responsibilities for Health & Safety. In this capacity I regularly carry out *Risk Assessments* and was therefore horrified to discover that no proper *Risk Assessment* appears to have been done for the LHC.

3. In the *Abstract of the Report of the LHC Safety Study Group* (2003), CERN simply stated: "*We review the possibility of producing dangerous objects during heavy-ion collisions at the Large Hadron Collider. We consider all such objects that have been theoretically envisaged, such as negatively charged strangelets, gravitational black holes, and magnetic monopoles. We find no basis for any conceivable threat.*" That review was subsequently also shown to be fundamentally flawed, particularly with respect to black holes, as it required a theoretical idea ["Hawking radiation"] to be true, even though never observed in nature.

4. That Report was not a *Risk Assessment* - it was merely their estimate of the likelihood of adverse scenarios happening. [Of course, we can disagree with even that estimate of likelihood; for instance they made no mention of the possibility of

alc

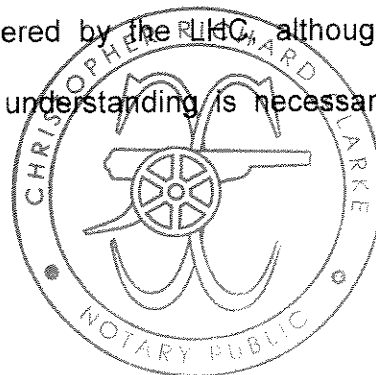


human or mechanical error. Yet, before they have even completed the machine, they have had a major explosive magnet failure (2007), and a fatality due to accidentally dropping of a crane load of material on a technician (Jose Lages, 2005).]

5. The fundamental of any science is to measure. CERN is spending millions of dollars to quantify fundamental particles; I wish to see quantified the Risk by means of a *Risk Assessment*. *Risk Assessments* do not need large study groups, super computers or millions of dollars in investment. They are to me a beautiful example of basic science that can be done by anyone on the back of an envelope once they understand the basics: **Risk equals Likelihood multiplied by Severity**.

6. I have reviewed Risk Assessment by two standard methodologies used in industry, including that employed in Jordan's Health and Safety Management (Jordan's). By both of these methods, the Risk is shown to be unacceptable according to industry standards, because it is not possible to show the Likelihood of an adverse outcome is zero. That is because the Severity is such a large value in these methods [death of 6.5 billion people, etc.], that multiplication by even a very small Likelihood results in the Risk being greater than acceptable values.

7. There is no compelling reason for the deployment of the LHC - 'insatiable curiosity', existing investment, or the careers of a large number of physicists are insufficient justification for the unacceptable risk to the existence of the rest of us, who have had no say on the matter. Further research into particle-physics using existing methods such as astronomical observations or fixed-target accelerators will answer some of the fundamental questions sought to be answered by the LHC, although possibly at a slower rate. Much more knowledge and understanding is necessary



before we can think of commissioning the LHC. The LHC should be 'mothballed' until a future *Risk Assessment* passes it as safe.

8. The LHC Safety Assessment Group [LSAG] Report that is due soon might per chance provide an actual *Risk Assessment*. I cannot comment on the LSAG Report until it has been published and I have had opportunity to review it. This review will take a minimum of six months of time for me and my associates to determine whether the LSAG Report passes as an adequate *Risk Assessment*. Accordingly, I request that this Court issue the requested TRO and Preliminary Injunction so that we may properly review the adequacy of the pending LSAG Report.

2
all
DATED: February 12, 2008
21

Rod Skinner
Rodney J. Skinner

NOTARIZATION

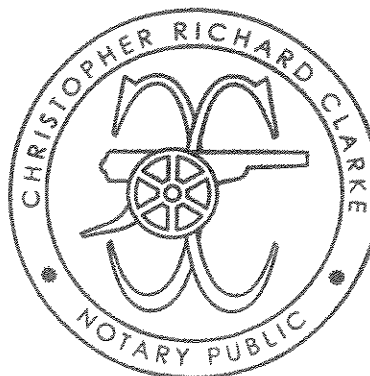
Subscribed and sworn to before me, a duly commissioned and sworn Notary Public in and for the United Kingdom on this 20th day of February, 2008.
21st

2
all
Christopher R. Clarke
Notary Public, United Kingdom

Christopher Richard Clarke
Notary Public

Island House, Midsomer Norton
Bath, BA3 2HJ, United Kingdom
ccclarke@th-law.co.uk

(Typed or Printed Name of Notary)



My commission expires: at death

[seal]